

Exhibit 2-AA

Gnehm Discovery Transcript

*COURTNEY LINDE, et al. VS.
ARAB BANK, PLC*

EDWARD W. GNEHM, JR.

March 29, 2012

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1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF NEW YORK

3 COURTNEY LINDE, et al.,

4 Plaintiffs,

5 - against -

6 ARAB BANK, PLC,

7 Defendant.

8 CASE NO.: CV 042799

9 PHILIP LITTLE, et al.,

10 Plaintiffs,

11 - against -

12 ARAB BANK, PLC,

13 Defendant.

14 CASE NO.: CV 045449

15 (Caption continues on next page)

16 * * * C O N F I D E N T I A L * * *

17 101 New York Avenue, NW
Washington, DC

18 March 29, 2012
12:17 p.m.

19 Videotaped Deposition of EDWARD W. GNEHM,
JR., before Lee Bursten, Registered Professional
Reporter, Certified Realtime Reporter, and Notary
Public in and for the District of Columbia.

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21
22
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2

A No.

3

BY MR. CARIDAS:

4

5

6

Q Did you forego any income as a result of
the work that you have previously done on the Arab
Bank case, either as an expert or as a fact witness?

7

A No.

8

9

MR. CARIDAS: Since we've been talking
about it so much, I would like to mark this 8.

10

11

12

(Gnehm Exhibit 8 was marked for

identification and attached to the deposition
transcript.)

13

BY MR. CARIDAS:

14

Q So Ambassador, if you could just take a
moment to review this document. You don't have to
read it all the way through. First of all, do you
recognize this document?

18

A I do.

19

Q What is it?

20

A This was a -- or is a reporting telegram
from the American Embassy in Amman to addressees who
don't appear on this -- in this document, describing
the importance of the Arab Bank as a financial
reputable -- I think the words here are "transparent,
competent and trustworthy banker and lender in

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GNEHM - CONFIDENTIAL2 **Jordan."**

3 Q Is this a document that you authored?

4 A I did not author it. It was written and
5 drafted by my economic counselor and his staff, but
6 it was reviewed by me and approved.7 Q And as someone who reviewed and approved
8 this document, does the document appear to be a true
9 and correct copy of the cable as you sent it out at
10 the time?

11 A To the very best of my knowledge, yes.

12 Q If I could draw your attention to the --
13 there's a little box before the actual cable starts
14 that says -- on the first page, that says, "This
15 record is a partial extract of the original cable."
16 And "The full text of the original cable is not
17 available."

18 A Mm-hmm.

19 Q Reviewing -- if you could review the cable,
20 do you have a sense of what would be missing from the
21 original?22 A Yes. I think what is missing is what would
23 have been on the page above the very top line in the
24 box immediately below the one you read, which begins
25 "on class section 104."

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1 by somebody else or information that was told to you
2 by somebody else either within the embassy or by the
3 Jordanian government?

4 A Well, in general, the answer is that it
5 reflects what I learned from my conversations with
6 senior Jordanian officials who expressed their views
7 and told me their understanding about the bank and so
8 forth and so on. So yes, it reflects -- it reflects
9 my views.

10 Q Well, you said that it reflects what you
11 were told by Jordanian officials. Does any of it
12 reflect things that you personally witnessed, or is
13 it information that somebody else told you?

14 A Well, I'll go through it line by line. But
15 the point here is that these people were working for
16 me, and they incorporated my ideas and my thoughts.
17 When you look at, say, paragraph 4 that says,
18 "Noteworthy is the esteem in which the bank and its
19 founding family" (inaudible) --

20 (The reporter asked for clarification.)

21 A "Also noteworthy is the esteem in which the
22 bank and its founding family the Shomans are held,"
23 would be the result of my knowledge of the situation.

24 Q What was your knowledge in that regard?

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A Of my -- as a result of my conversations

3

and my discussions with prominent Jordanians and

4

others in the community, it was my assessment that

5

the bank was held in esteem, as were the Shomans.

6

Q You mentioned a particular piece. What

7

else in this cable have you --

8

A Right, I'm reading on through it.

9

Q Sure.

10

A In paragraph number 7, where it talks about

11

the bank having come under increasingly -- increasing

12

criticism locally as of late due to its extremely

13

conservative lending policy, and it has virtually

14

ceased lending. I can say to you that I heard people

15

criticizing the bank. This is based on my knowledge.

16

Q All right.

17

A Okay. I'm down to the comment, which was

18

just a comment anyway. Again, the cable was a

19

reporting cable. It's got lots of history in it,

20

lots of statistics. They are what they are.

21

Q So just to recap, so the two items in this

22

cable that you said are based on your personal

23

knowledge were the statement in paragraph 4 that

24

generally the bank is held in high regard by the

25

Jordanian community, I guess more broadly; and then

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1 GNEHM - CONFIDENTIAL

2 the statement in paragraph 7 that there have been
3 complaints about its conservative lending practices?

4 MR. HOWARD: Objection to form. You can
5 answer.

6 A I answered as I did because I thought you
7 were trying to be very narrow in your question.

8 BY MR. CARIDAS:

9 Q Yes.

10 A Because if you say that those are the only
11 two things I knew, I would contest that part, because
12 I did know these things about the bank because I did
13 my own studies and had my own conversations. But did
14 I go to the bank and audit the figures and tell you
15 that I knew 31 percent because I was in the bank's
16 vault? No.

17 Q I'm sorry. So to clarify, so those two
18 statements that we had just discussed, the one in
19 paragraph 4 and paragraph 7, those are the two you
20 identified as being based on your personal
21 observation; is that correct?

22 MR. HOWARD: Objection.

23 A Correct.

24 BY MR. CARIDAS:

25 Q And then anything else that's in this cable

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2 which you came to know was a result of somebody else
3 telling you that information or reading that
4 information somewhere; is that correct?

5 A Yes.

6 Q So turning to -- if I could direct you to
7 paragraph 16 briefly, why was this -- it states that
8 this message had been cleared by -- I assume that's
9 the Consulate General in Jerusalem?

10 A Correct.

11 Q And what is the reason why this message was
12 cleared by them?

13 A It's a standard procedure, customary, that
14 if you're writing about a topic, particularly if part
15 of what you're writing about is taking place in
16 someone else's jurisdiction, by "else" I mean another
17 embassy, another country, another geographic
18 jurisdiction, that you would share your reporting
19 cable for their comments.

20 It's also a valuable way to make sure
21 you're accurate, and that if there is information
22 that they have that you don't have, that that gets to
23 be put in. So again, the telegram would be a
24 composite, an appropriate and complete composite of
25 the report.

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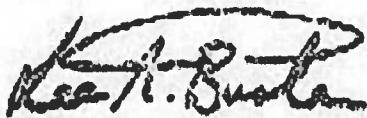
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1 **C E R T I F I C A T E**

2
3 I, Lee Bursten, the officer before whom
4 the foregoing deposition was taken, do hereby certify
5 that the foregoing transcript is a true and correct
6 record of the testimony given; that said testimony
7 was taken by me stenographically and thereafter
8 reduced to typewriting under my direction; and that I
9 am neither counsel for, related to, nor employed by
10 any of the parties to this case and have no interest,
11 financial or otherwise, in its outcome.

12 IN WITNESS WHEREOF, I have hereunto set my
13 hand and affixed my notarial seal this 9th day of
14 April, 2012.

15
16
17
18
19
20



21 Lee Bursten

22 NOTARY PUBLIC IN AND FOR

23 THE DISTRICT OF COLUMBIA

24 My commission expires June 30, 2014.

25